

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

March 22, 2010

DIVISION TWO

[illegible]

The Court:

The judgment is affirmed.

Boren, P.J., Ashmann-Gerst, J., Chavez, J.

DIVISION THREE

Court convened at 9:00 a.m., at The University of Southern California Gould School of Law.

Present: Klein, P.J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

B212340 People
v.
Indiana Lumbermens Mutual Insurance Company

Merits:
Argued by Joanne K. Nielsen, deputy county counsel for respondent.
Argument waived by the appellant. Cause submitted.

B215955 Thomas
v.
National Railroad Passenger Corp.

Merits:
Argued by Paul Andrew Burnett for appellant and by Brock Christensen for respondent. Cause submitted.

DIVISION THREE (continued)

B212766 Garber
 v.
 Superior Court, Los Angeles County
 (People, r.p.i.)

Merits:

Argued by Maxine Weksler for petitioner and by Rick Curcio, deputy city attorney for real party in interest. Cause submitted.

Court recessed.

Court reconvened at 11:05 a.m.

Present: Klein, P.J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

B210194 Francis
 v.
 City of Los Angeles

Merits:

Argued by Michael M. Walsh for appellant and by Blithe Bock, deputy city attorney for respondent. Cause submitted.

B216128 Polanco
 v.
 Truck Insurance Exchange

Merits:

Argued by Anthony Telleria for appellant and by Johnna J. Hansen for respondents. Cause submitted.

Court recessed.

Court reconvened at 1:50 p.m.

Present: Klein, P.J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

DIVISION THREE (continued)

Each of the following:

B210891 People v. Villa

B214874 People v. Hall

Argument waived, cause submitted.

B212874 Chude

v.

Jack In The Box, Inc.

Merits:

Argued by Martin D. Gross for appellant and by Charles F. Peterson for respondent. Cause submitted.

B214549 Saavy Property Management, LLC, et al.

v.

United National Insurance Company

Merits:

Argued by Y. Gina Lisitsa for appellants and by Walter T. Johnson for respondent. Cause submitted.

B209861 Smith

v.

City of Los Angeles, et al.

Merits:

Argued by Jeffrey Ehrlich for appellant and by Clint Robison for respondents. Supplemental letter brief by appellant due on April 5, 2010. Response by respondent due on April 19, 2010. The matter will be submitted on April 19, 2010.

Court adjourned.

DIVISION THREE (continued)

B212082 Steven W. Gray (Certified for Publication)

v.

Continental Casualty Company et al

Dameon L. Begley

The denial of the motion to vacate the judgment is reversed and the matter remanded to the trial court with directions to (1) vacate the judgment for the purpose of hearing and ruling upon CNA's motion for setoff, (2) consider and decide such motion, (3) thereafter enter a new judgment in accordance with such ruling and (4) conduct such further proceedings as may be appropriate and consistent with the views expressed herein. CNA shall recover its costs on appeal from Gray and Begley.

Croskey, J.

We concur: Klein, P.J.

Aldrich, J.

B213479 MKB Management Inc (Not for Publication)

v.

Andre O. Melikian, Individually and as Trustee, etc, et al

The judgment is reversed. MKB is entitled to recover its costs on appeal.

Croskey, Acting P.J.

We concur: Kitching, J.

Aldrich, J.

DIVISION FOUR

B214520 Fimbres

v.

Pacific Maritime Association et al.

Filed order denying petition for rehearing.

DIVISION FIVE

B212528 Janice Sharp, et al.,
v.
Paul Anderson, et al.,

Filed order denying petition for rehearing.

DIVISION SIX

B215562 People
v.
Taylor M.

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION SEVEN

B219993 Norma L. (Not for Publication)
v.
Superior Court of Los Angeles County
Los Angeles County Department of Children and Family Services

Let a peremptory writ of mandate issue directing the juvenile court to vacate its orders overruling objections and removing R.G., A.G., G.G. and D.G. from the home of Norma L. and to conduct a new hearing in accordance with section 366.26, subdivision (n)(3), considering the children's and Norma L.'s current circumstances, to determine whether the children's permanent removal from Norma L.'s home is in the children's best interest.

Perluss, P.J.

We concur: Zelon, J.
 Jackson, J.

DIVISION SEVEN (continued)

B216212 Wilson (Certified for Publication)

V.

Superior Court, Los Angeles County
(The People, r.p.i.)

The petition is granted. Let a peremptory writ of mandate issue directing respondent Los Angeles Superior Court to suspend the SVPA commitment proceedings now pending against Wilson; to conduct a hearing to determine his ability to understand the nature of the proceedings and to rationally assist his counsel in the conduct of a defense; if Wilson is not now competent, to order Wilson to remain in appropriate custody pending restoration of his competency; and to conduct further proceedings not inconsistent with this opinion.

Perluss, P.J.

We concur: Zelon, J.
 Jackson, J.